

# Need help to sort out a family law problem?

*Ask Legal Aid Queensland*

Do you want to resolve a family law dispute without going to court? A family dispute resolution conference may be able to help.

## Why attend a family dispute resolution conference?

A conference can help you resolve family law problems about parenting issues, spousal maintenance or property settlement without going to court.

You may need to have a conference before lodging an application with the court. In some cases, the court might order you to attend a family dispute resolution conference.

Advantages of reaching an agreement at a conference include:

- your agreement takes into account your individual circumstances
- you make the decision rather than a court making an order
- issues that cannot be mentioned in court proceedings can be raised and discussed
- you avoid the stress and time involved in court proceedings
- low legal costs if you do not get legal aid.

You can find out more about conferencing in our online video *Life after separation: putting the pieces back together* available at [www.legalaid.qld.gov.au](http://www.legalaid.qld.gov.au). This video is targeted at couples who are considering family separation and provides a range of information to help guide couples through the legal process of separation, and to make arrangements that are in the best interests of their children.

## My dispute is about property only. Can I still have a conference?

You may be able to attend a family dispute resolution conference if you meet our eligibility criteria and the dispute is about:

- the home you owned with your ex-husband or wife
- property or other assets you acquired during the marriage or defacto relationship, including superannuation or funds where you may only receive a benefit at a later date.

If you do not qualify for a conference, you can access our *Having trouble dividing your property after separation or divorce?* factsheet for more information.



## Who will be at the conference?

- you
- the person you are in dispute with
- each person's lawyer
- a registered family dispute resolution practitioner
- an independent children's lawyer, if one has been appointed by the court.

**Children cannot attend the conference.**

## Where is the conference held?

The conference is usually held at one of our local offices. We can arrange a telephone conference at a community centre, courthouse or lawyer's office if you are in a remote area or you have a domestic violence protection order.

## When is the conference held and how long will it take?

The conference is held during business hours, in the morning or afternoon. We will arrange the conference for a date and time when everyone can attend. A conference can take up to half a day. You should set aside four hours.

## What if I have a domestic violence protection order?

If you have a domestic violence protection order, we will ask for your written approval to hold a conference. You should immediately send us a copy of your order.

## Is the conference confidential?

Yes, the conference is confidential so everyone can speak freely. But information that affects your children's or other people's safety cannot be kept secret.

## What should I think about before the conference?

For a conference about your children:

- Where do I want my children to live?
- How often do I want to see or communicate with my children if they do not live with me?
- Do I want to see my children on special days like birthdays, Christmas, Mother's Day or Father's Day? Remember, your family may have their own special days you would like your children to be a part of.
- How will my children travel between my home and the other parent's home? Who will collect and drop the children back?

For a conference about your property:

- What is going to happen to our property?
- What property do we own?
- How much is our property currently worth?
- What debts do we owe?
- Do we have superannuation and how much is it worth?
- What do you think would be a fair property split?

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*“About 75 percent of people who apply for legal aid resolve their family law disputes at a conference instead of going to court.”*

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## What should I do before the conference?

- Write down the arrangements you would like to see in place.
- Discuss the arrangements you would like with your lawyer.
- Make arrangements for child care during the conference. We do not have child minding facilities.

## What if I need an interpreter?

Please let us know — before the conference — if you need an interpreter. We will then arrange and pay for an interpreter to attend the conference.

## What happens during the conference?

Conferences can be held in one room, in separate rooms or by telephone. Time is always made for you to meet privately with your lawyer and have a break if you need one.

When the conference starts, the family dispute resolution practitioner will explain how the conference will run. It is their role to help you discuss the issues in dispute and resolve these issues. The family dispute resolution practitioner does not give legal advice or make decisions for anyone.

## What happens after the conference?

The family dispute resolution practitioner makes confidential recommendations to us about continuing your legal aid grant. We will consider the practitioner's recommendations, but may not follow them. Legal aid will be provided to financially eligible parties to have any agreement reached drafted into a consent order, for filing in court.

The family dispute resolution practitioner also assesses the most appropriate s 60I certificate to issue that you can use to show the court you attended the conference. In some cases you may need the certificate if you want to begin court proceedings. Ask the court for more information about this process.

The certificate will show who attended the conference and if they made a genuine effort to resolve their dispute. The court may take this information into account when deciding whether to send you back to family dispute resolution. The court may also use the information to decide whether to make an order for costs against a person.

## How do I apply for legal aid for a conference?

To apply for legal aid, fill out an application form and send it to your local Legal Aid Queensland office. You should get legal advice before filling out the form. Make sure you attach the financial documents asked for before sending it. Legal aid for a conference is available to anyone who meets our means and merit test.

If you are granted aid, we will pay your lawyer's fees for attending the conference, subject to any conditions listed.

If you have genuine concerns about attending a conference, tell your lawyer and a Legal Aid Queensland officer immediately.

## YOUR LOCAL LEGAL AID QUEENSLAND OFFICE:

### BRISBANE

44 Herschel St, 4000

### BUNDABERG

3rd Floor, WIN Tower,  
Cnr Quay & Barolin Sts, 4670

### CABOOLTURE

Ground Floor, Kingsgate  
42 King St, 4510

### CAIRNS

Level 2, Cairns Square Complex,  
42-52 Abbott St, 4870

### INALA

Level 1, Inala Commonwealth  
Offices, 20 Wirraway Pde, 4077

### IPSWICH

Lvl 7, 117 Brisbane St, 4305

### MACKAY

Ground Floor,  
17 Brisbane St, 4740

### MAROOCHYDORE

Ground Floor, M1 Building  
1 Duporth Ave, 4558

### MOUNT ISA

6 Miles St, 4825

### ROCKHAMPTON

Ground Floor, 35 Fitzroy St, 4700

### SOUTHPORT

Lvl 2, 7 Bay St, 4215

### TOOWOOMBA

1st Floor, 154 Hume St, 4350

### TOWNSVILLE

3rd Floor, Northtown  
280 Flinders St, 4810

### WOODRIDGE

1st Floor, Woodridge Place,  
Cnr Ewing Rd & Carmody St, 4114

For more information  
about our services visit  
[www.legalaid.qld.gov.au](http://www.legalaid.qld.gov.au)  
or phone 1300 65 11 88.

